

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

|                                   |   |  |
|-----------------------------------|---|--|
| <b>IN RE:</b>                     | : | <b>MDL DOCKET NO. 4:03-CV-1507-WRW</b> |
| <b>PREMPRO PRODUCTS LIABILITY</b> | : |  |
| <b>LITIGATION</b>                 | : | <b>ALL CASES</b>                       |

**SCHEDULING ORDER RE FIRST BELLWETHER TRIAL**

Upon consideration of the arguments made in a telephone conference on Monday, November 21, 2005, the following is directed:

1. By 5 p.m., Friday, December 2, 2005, Plaintiffs must:
  - (a) identify which of their "generic science" experts (on medical issues, including scientific, biological, or physiological causation) in the Philadelphia Hormone Therapy litigation will be offered as experts for the first MDL bellwether trial, scheduled for July 31, 2006;
  - (b) serve reports for those experts; and
  - (c) provide Defendants with dates -- which, if possible, should fall between December 2, 2005 and January 17, 2006 -- when the experts are available for deposition.
2. By 5 p.m., Monday, December 19, 2005, Plaintiffs must:
  - (a) disclose any other "generic science" experts (on medical issues, including scientific, biological, or physiological causation) -- including any Arkansas experts -- to be used in the first MDL bellwether trial;
  - (b) serve the Rule 26 (a)(2)(B) reports for those experts; and

- (c) provide Defendants with dates -- which, if possible, should fall between December 19, 2005 and January 17, 2006 -- when the experts are available for deposition.

3. By 5 p.m., Tuesday, January 17, 2006, Defendants must:

- (a) disclose their "generic science" experts (on medical issues, including scientific, biological, or physiological causation) -- including any Arkansas experts -- to be used in the first MDL bellwether trial;
- (b) serve the Rule 26(a)(2)(B) reports for those experts; and
- (c) provide Plaintiffs with dates -- which, if possible, should fall between January 17, 2006 and March 3, 2006 -- when the experts are available for deposition.

4. By 5 p.m., Tuesday, January 17, 2006, the parties must submit briefs advising the Court which bellwether plaintiffs are "representative" and should be selected as plaintiffs for the first two trials. On January 26, 2006, the Court may hear argument and will select two plaintiffs as final bellwether trial selections.

5. All efforts to meet these deadlines must be in good faith.

IT IS SO ORDERED, this 30th day of November, 2005.

/s/ Wm. R. Wilson, Jr.  
UNITED STATES DISTRICT COURT